

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

MICHAEL HENRY ANDERSON,

Plaintiff,

v.

DAN DELTEN, TOM SMIKINS and
DAN JOHNSON,

Defendants.

CV-17-63-H-BMM-JTJ
(CV-17-70-H-BMM-JTJ)
(CV-18-04-H-BMM-JTJ)

**ORDER ADOPTING MAGISTRATE
JUDGE'S FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge Johnston entered Findings and Recommendations on June 1, 2018. (Doc. 27). Judge Johnston determined that Plaintiff Michael Henry Anderson failed to respond to Defendants' motion to dismiss. *Id.* Judge Johnston further determined that the January 19, 2018, Amended Complaint (Doc. 14) should be dismissed pursuant to Local Rule 7.1 (d)(1)(B)(ii) because Anderson's failure to respond admitted that the motion is well-taken. *Id.*

No party filed objections to Judge Johnston's Findings and Recommendations. The Court has reviewed the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no error in Judge Johnston's Findings and Recommendations and adopts them in full.

ORDER

Accordingly, **IT IS ORDERED** that Magistrate Judge Johnston's Findings and Recommendations (Doc. 27) are **ADOPTED IN FULL**.

IT IS ORDERED that Defendant's Motion to Dismiss the January 19, 2018 First Amended Complaint is **GRANTED** and the January 19, 2018 First Amended Complaint (Doc. 14) is **DISMISSED WITHOUT PREJUDICE**.

DATED this 20th day of November, 2018.



Brian Morris
United States District Court Judge